

## REMARKS

### Status of the Claims

In the April 2, 2008 Office Action, the Examiner noted that claims 1-24 were pending in the application. Claims 2-5, and 15-17 are cancelled without prejudice or disclaimer and claims 1, 14 and 20-24 have been amended herein. Thus, claims 1, 6-14, and 18-24 are pending for consideration, which is respectfully requested. No new matter has been added.

Support for the amendments to the "first capturing unit" of claim 1, can be found, for example, in paragraphs 0062, 0067, 0068 and FIGS. 8-10 of the Specification.

Support for the amendments to the "determining unit" of claim 1, can be found, for example, in paragraph 0103 of the Specification.

Support for the amendments to the "second capturing unit" of claim 1, can be found, for example, in paragraphs 0095 and 0103 of the Specification.

The portions of the Specification outlined above also provide support for the amendments to claims 14 and 24.

### Double Patenting

On page 2, the Office Action rejected claims 1-24 on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-58 of U.S. Patent No. 6,650,343.

It is respectfully submitted this rejection is overcome in view of the amendments to claims 1, 14 and 24 herein. For example, Applicants submit that the features of:

- a first capturing unit for capturing link description data which contains a location of an item of content and an identification of the item, and contains a location of an attention point designed to draw attention to the user

- a determining unit to display the item of content when a distance between the location of the item and the location of the attention point is within a predetermined range [and] a distance between the location of the attention point and the location of a view point in the current field-of-view coordinate system is within a predetermined range

- a second capturing unit for capturing content data associated with the identification of the item determined by the determining unit

as recited by claim 1 is not obvious in view of U.S. Patent No. 6,650,343.

Accordingly, Applicants respectfully request the rejection be withdrawn.

**Rejection under 35 U.S.C. §103(a)**

On page 2, the Office Action rejected claims 1-8, 10-13, 14-19, 21-23 and 24 under 35 U.S.C. §103(a) as being unpatentable over Endo et al. (US Patent No. 6,055,563) in view of Kamen et al. (US 2002/0105551 A1). On page 7, the Office Action rejected claims 9 and 20 under 35 U.S.C. §103(a) as being unpatentable over Endo et al. in view of Kamen et al., and further in view of Fujita et al. (US Patent No. 6,650,343). These rejections are respectfully traversed.

Endo relates to method of displaying a virtual world in a client device based on virtual-world-description data received from a server device. In FIG. 4, at a step S21, Endo describes that data is displayed and a processing unit 22 checks whether the end notice has been received from the data receiving unit 21. Thus, the procedure ends when an end notice has been received. (see Column 5, Lines 59-63). In other words, Endo describes that the data receiving unit continues to receive data until it receives an end notice, and thus, a user must wait for completion of receiving the description-data segments until the data receiving unit receives the end notice. Said another way, the displaying process in Endo is dependent upon an end notice without utilizing a "determining unit" let alone determining a distance relative to an attention point or view point.

Although Kamen relates to creating a three-dimensional navigation mechanism such as a three-dimensional browser to navigate a virtual three-dimensional space, the navigation is based upon converting two-dimensional information into three-dimensional coordinates. For example, paragraph 0035, lines 9-14 of Kamen describes that a user's click on a texture of a hypertext as a URL determines the subsequent data that is captured.

With respect to navigating the three-dimensional space in Kamen, at least one event (e.g., a user selecting hypertext) associated with an image created from information obtained from a URL is intercepted. After an event is intercepted, an area of the surface on a three-dimensional object in the virtual three-dimensional space that is associated with the event is located. A two-dimensional position is then computed from the three-dimensional coordinates. After this two-dimensional position has been computed, information pertaining to the event is then placed on the surface of the three-dimensional object and displayed to the user. (see paragraph 0007, Lines 1-15.). In other words, the location of the surface area in the three-dimensional coordinates is determined according to the intercepted event, independently of the intent of a creator of the image and without regard to determining a distance relative an attention point and view point.

Accordingly, Applicants assert that neither Endo nor Kamen, taken alone or in combination, discloses at least "a determining unit to display the item of content when a distance between ... the item and ... attention point is within a predetermined range [and] a distance between ... the attention point and the view point... is within a predetermined range" as recited by claim 1 (lines 7-10). Applicants submit that nothing has been found in Fujita that cures the deficiencies of Endo and Kamen described above. Accordingly, Applicants submit that claim 1 patentably distinguishes over the cited art.

Independent claims 14 and 24 recite "determining to display the item of content when a distance between... the item and the... attention point is within a predetermined range [and] a distance between the... attention point and a location of a view point in the current field-of-view... is within a predetermined range." Therefore, claims 14 and 24 patentably distinguish over the cited art.

The remaining dependent claims inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for at least the reasons discussed above in addition to the additional features recited therein.

In view of the above, Applicants respectfully request the rejection be withdrawn.

## Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

9-2-08

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